

**No. 51**  
**STATE OF MICHIGAN**  
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**OF THE**  
**House of Representatives**  
**95th Legislature**  
**REGULAR SESSION OF 2009**

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House Chamber, Lansing, Thursday, June 4, 2009.

12:00 Noon.

The House was called to order by Associate Speaker Pro Tempore Espinoza.

The roll was called by the Clerk of the House of Representatives, who announced that a quorum was present.

Agema—present	Durhal—present	Lahti—present	Proos—present
Amash—present	Ebli—present	LeBlanc—present	Roberts—present
Angerer—present	Elsenheimer—present	Leland—present	Rocca—present
Ball—present	Espinoza—present	Lemmons—present	Rogers—present
Barnett—present	Geiss—present	Lindberg—present	Schmidt, R.—present
Bauer—present	Genetski—present	Lipton—present	Schmidt, W.—present
Bennett—present	Gonzales—present	Liss—present	Schuitmaker—present
Bledsoe—present	Green—present	Lori—present	Scott, B.—present
Bolger—present	Gregory—present	Lund—present	Scott, P.—present
Booher—present	Griffin—present	Marleau—present	Scripps—present
Brown, L.—present	Haase—present	Mayes—present	Segal—present
Brown, T.—present	Haines—present	McDowell—present	Sheltrown—present
Byrnes—excused	Hammel—present	McMillin—present	Simpson—present
Byrum—present	Hansen—present	Meadows—present	Slavens—present
Calley—present	Haugh—present	Meekhof—present	Slezak—present
Caul—present	Haveman—present	Melton—present	Smith—present
Clemente—present	Hildenbrand—present	Meltzer—present	Spade—present
Constan—present	Horn—present	Miller—excused	Stamas—present
Corriveau—present	Huckleberry—present	Moore—present	Stanley—present
Coulouris—present	Jackson—present	Moss—present	Switalski—present
Crawford—present	Johnson—present	Nathan—present	Tlaib—present
Cushingberry—e/d/s	Jones, Rick—present	Nerat—present	Tyler—present
Daley—present	Jones, Robert—present	Neumann—present	Valentine—present
Dean—present	Kandrevas—present	Opsommer—present	Walsh—present
Denby—present	Kennedy—present	Pavlov—present	Warren—present
DeShazor—present	Knollenberg—present	Pearce—present	Womack—present
Dillon—present	Kowall—present	Polidori—present	Young—present
Donigan—present	Kurtz—present		

e/d/s = entered during session

Rep. Jeff Mayes, from the 96th District, offered the following invocation:

“Dear heavenly Father, as we gather to do the work of the people of Michigan, we pray that You grant us wisdom and humility as we approach our work.

We ask for Your guidance as we work to better the lives of every man, woman and child who call this state home.

We pray for the families who are struggling to make ends meet, and the thousands who live under a cloud of uncertainty and fear as our Michigan automakers work to restructure.

Please deliver us from anger and strife and provide us the grace to come together as we attempt to solve our many problems.

We give thanks that we’ve been bestowed with this enormous responsibility and opportunity to guide our state through these stormy times.

In Your name, we offer this prayer.

Amen.”

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Rep. Angerer moved that Reps. Byrnes and Miller be excused from today’s session.  
The motion prevailed.

### **Second Reading of Bills**

#### **Senate Bill No. 280, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 41301, 41305, 41306, 41309, 41311, 41313, and 41323 (MCL 324.41301, 324.41305, 324.41306, 324.41309, 324.41311, 324.41313, and 324.41323), section 41301 as amended by 2005 PA 77, section 41305 as amended and section 41306 as added by 2005 PA 79, section 41309 as amended by 2005 PA 76, sections 41311 and 41313 as added by 2005 PA 80, and section 41323 as added by 2005 PA 75; and to repeal acts and parts of acts.

Was read a second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Great Lakes and Environment,

The substitute (H-2) was adopted, a majority of the members serving voting therefor.

Rep. Warren moved to amend the bill as follows:

1. Amend page 1, line 4, by striking out all of subdivision (A) and relettering the remaining subdivisions.

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Angerer moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Angerer moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

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Rep. Angerer moved that Rep. Corriveau be excused temporarily from today’s session.  
The motion prevailed.

By unanimous consent the House returned to the order of

### **Third Reading of Bills**

#### **Senate Bill No. 280, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 41301, 41305, 41306, 41309, 41311, 41313, and 41323 (MCL 324.41301, 324.41305, 324.41306, 324.41309, 324.41311, 324.41313, and 324.41323), section 41301 as amended by 2005 PA 77, section 41305 as amended and section 41306 as

added by 2005 PA 79, section 41309 as amended by 2005 PA 76, sections 41311 and 41313 as added by 2005 PA 80, and section 41323 as added by 2005 PA 75; and to repeal acts and parts of acts.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 276****Yeas—105**

Agema	Espinoza	LeBlanc	Roberts
Angerer	Geiss	Leland	Rocca
Ball	Genetski	Lemmons	Rogers
Barnett	Gonzales	Lindberg	Schmidt, R.
Bauer	Green	Lipton	Schmidt, W.
Bennett	Gregory	Liss	Schuitmaker
Bledsoe	Griffin	Lori	Scott, B.
Bolger	Haase	Lund	Scott, P.
Booher	Haines	Marleau	Scripps
Brown, L.	Hammel	Mayes	Segal
Brown, T.	Hansen	McDowell	Sheltrown
Byrum	Haugh	McMillin	Simpson
Calley	Haveman	Meadows	Slavens
Caul	Hildenbrand	Meekhof	Slezak
Clemente	Horn	Melton	Smith
Constan	Huckleberry	Meltzer	Spade
Coulouris	Jackson	Moore	Stamas
Crawford	Johnson	Moss	Stanley
Daley	Jones, Rick	Nathan	Switalski
Dean	Jones, Robert	Nerat	Tlaib
Denby	Kandrevas	Neumann	Tyler
DeShazor	Kennedy	Opsommer	Valentine
Dillon	Knollenberg	Pavlov	Walsh
Donigan	Kowall	Pearce	Warren
Durhal	Kurtz	Polidori	Womack
Ebli	Lahti	Pros	Young
Elsenheimer			

**Nays—1**

Amash

In The Chair: Espinoza

The question being on agreeing to the title of the bill,

Rep. Angerer moved to amend the title to read as follows:

A bill to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending section 41301 (MCL 324.41301), as amended by 2005 PA 77; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

Rep. Angerer moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

By unanimous consent the House returned to the order of  
**Reports of Standing Committees**

The Committee on Appropriations, by Rep. Cushingberry, Chair, reported

**Senate Bill No. 416, entitled**

A bill to amend 2005 PA 92, entitled "School bond qualification, approval, and loan act," by amending section 9 (MCL 388.1929), as amended by 2006 PA 71.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Cushingberry, Hammel, Bauer, Bennett, Terry Brown, Dean, Durhal, Espinoza, Gregory, Jackson, Lahti, LeBlanc, McDowell, Miller, Smith, Spade, Switalski, Tlaib, Moss, Agema, Booher, Caul, Genetski, Green, Haines, Hildenbrand, Lori, Proos, Rogers and Schuitmaker

Nays: None

**Second Reading of Bills**

**Senate Bill No. 416, entitled**

A bill to amend 2005 PA 92, entitled "School bond qualification, approval, and loan act," by amending section 9 (MCL 388.1929), as amended by 2006 PA 71.

The bill was read a second time.

Rep. Angerer moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Angerer moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

Rep. Cushingberry entered the House Chambers.

By unanimous consent the House returned to the order of  
**Third Reading of Bills**

**Senate Bill No. 416, entitled**

A bill to amend 2005 PA 92, entitled "School bond qualification, approval, and loan act," by amending section 9 (MCL 388.1929), as amended by 2006 PA 71.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 277**

**Yeas—105**

Agema	Espinoza	LeBlanc	Roberts
Amash	Geiss	Leland	Rocca
Angerer	Genetski	Lemmons	Rogers
Ball	Gonzales	Lindberg	Schmidt, R.
Bauer	Green	Lipton	Schmidt, W.
Bennett	Gregory	Liss	Schuitmaker
Bledsoe	Griffin	Lori	Scott, B.
Bolger	Haase	Lund	Scott, P.
Booher	Haines	Marleau	Scripps

Brown, T.	Hammel	Mayes	Segal
Byrum	Hansen	McDowell	Sheltrown
Calley	Haugh	McMillin	Simpson
Caul	Haveman	Meadows	Slavens
Clemente	Hildenbrand	Meekhof	Slezak
Constan	Horn	Melton	Smith
Coulouris	Huckleberry	Meltzer	Spade
Crawford	Jackson	Moore	Stamas
Cushingberry	Johnson	Moss	Stanley
Daley	Jones, Rick	Nathan	Switalski
Dean	Jones, Robert	Nerat	Tlaib
Denby	Kandreas	Neumann	Tyler
DeShazor	Kennedy	Opsommer	Valentine
Dillon	Knollenberg	Pavlov	Walsh
Donigan	Kowall	Pearce	Warren
Durhal	Kurtz	Polidori	Womack
Ebli	Lahti	Proos	Young
Elsenheimer			

### Nays—2

Barnett

Brown, L.

In The Chair: Espinoza

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to prescribe the procedures, terms, and conditions for the qualification or approval of school bonds and other bonds; to authorize this state to make loans to certain school districts for the payment of certain bonds and to authorize schools to borrow from this state for that purpose; to prescribe the terms and conditions of certain loans to school districts; to prescribe the powers and duties of certain state agencies and certain state and local officials; to provide for certain fees; to prescribe certain penalties; and to repeal acts and parts of acts,”

The House agreed to the full title.

Rep. Angerer moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

By unanimous consent the House returned to the order of

### Announcements by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members on Thursday, June 4:

**House Bill Nos. 5035 5036 5037 5038 5039**

The Clerk announced that the following Senate bill had been received on Thursday, June 4:

**Senate Bill No. 142**

### Reports of Standing Committees

The Committee on Appropriations, by Rep. Cushingberry, Chair, reported

#### **House Bill No. 4182, entitled**

A bill to amend 2000 PA 489, entitled “Michigan trust fund act,” by amending section 7 (MCL 12.257), as amended by 2008 PA 256.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Cushingberry, Hammel, Bauer, Bennett, Terry Brown, Dean, Durhal, Espinoza, Gonzales, Gregory, Jackson, Lahti, LeBlanc, McDowell, Miller, Smith, Spade, Switalski, Tlaib, Moss, Agema, Booher, Green, Haines, Hildenbrand, Lori and Schuitmaker

Nays: Reps. Caul, Genetski, Proos and Rogers

The Committee on Appropriations, by Rep. Cushingberry, Chair, reported

**House Bill No. 4310, entitled**

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2009; and to provide for the expenditure of the appropriations.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Cushingberry, Bauer, Bennett, Terry Brown, Dean, Durhal, Espinoza, Gonzales, Gregory, Jackson, Lahti, McDowell, Miller, Smith, Spade, Switalski, Tlaib and Caul

Nays: Rep. Moss

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Cushingberry, Chair, of the Committee on Appropriations, was received and read:

Meeting held on: Wednesday, June 3, 2009

Present: Reps. Cushingberry, Hammel, Bauer, Bennett, Terry Brown, Dean, Durhal, Espinoza, Gonzales, Gregory, Jackson, Lahti, LeBlanc, McDowell, Miller, Smith, Spade, Switalski, Tlaib, Moss, Agema, Booher, Caul, Genetski, Green, Haines, Hildenbrand, Lori, Proos, Rogers and Schuitmaker

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Byrum, Chair, of the Committee on Insurance, was received and read:

Meeting held on: Thursday, June 4, 2009

Present: Reps. Byrum, Young, Constan, Lemmons, Lipton, Neumann, Polidori, Segal, Sheltroun, Womack, Denby, Green, Haveman, Lund, Marleau, Moore and Rocca

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Warren, Chair, of the Committee on Great Lakes and Environment, was received and read:

Meeting held on: Thursday, June 4, 2009

Present: Reps. Warren, Bledsoe, Ebli, Kennedy, Meadows, Roberts, Scripps, Meekhof, Daley, Rick Jones, Pavlov and Wayne Schmidt

Absent: Reps. Nerat, Leland and Haveman

Excused: Reps. Nerat and Haveman

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Melton, Chair, of the Committee on Education, was received and read:

Meeting held on: Thursday, June 4, 2009

Present: Reps. Melton, Lisa Brown, Bledsoe, Byrum, Corriveau, Geiss, Haase, Kennedy, Lindberg, Nathan, Polidori, Roberts, Sheltroun, Valentine, Pavlov, Amash, Ball, DeShazor, McMillin, Pearce, Paul Scott, Tyler and Walsh

### Messages from the Senate

**House Bill No. 4308, entitled**

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2009; and to provide for the expenditure of the appropriations.

The Senate has concurred in the House amendments to the Senate substitute (S-1).

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

**House Bill No. 4479, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 37 (MCL 211.37), as amended by 1994 PA 415.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

**House Bill No. 4579, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 41301, 41305, 41306, 41309, 41311, 41313, and 41323 (MCL 324.41301, 324.41305, 324.41306, 324.41309, 324.41311, 324.41313, and 324.41323), section 41301 as amended by 2005 PA 77, section 41305 as amended and section 41306 as added by 2005 PA 79, section 41309 as amended by 2005 PA 76, sections 41311 and 41313 as added by 2005 PA 80, and section 41323 as added by 2005 PA 75; and to repeal acts and parts of acts.

The Senate has substituted (S-4) the bill.

The Senate has passed the bill as substituted (S-4), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending sections 41303, 41305, 41306, 41309, 41311, 41313, and 41323 (MCL 324.41303, 324.41305, 324.41306, 324.41309, 324.41311, 324.41313, and 324.41323), section 41303 as amended by 2005 PA 78, section 41305 as amended and section 41306 as added by 2005 PA 79, section 41309 as amended by 2005 PA 76, sections 41311 and 41313 as added by 2005 PA 80, and section 41323 as added by 2005 PA 75, and by adding section 41302.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

**Senate Bill No. 142, entitled**

A bill to amend 1956 PA 217, entitled "Electrical administrative act," by amending section 5 (MCL 338.885), as amended by 1998 PA 302, and by adding section 4.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Regulatory Reform.

### Introduction of Bills

Reps. Hansen, Wayne Schmidt, Griffin, Corriveau, Scripps, Slezak, LeBlanc, Terry Brown, Espinoza, Horn, Haveman, Caul, Lahti, Lindberg, Ball, Meekhof, Pavlov, Walsh, Rick Jones, Kurtz, Valentine, Dean, Nerat, Agema, Stamas, Lori, Opsommer, Moore, Proos, Pearce, Genetski and Schuitmaker introduced

**House Bill No. 5040, entitled**

A bill to amend 1965 PA 203, entitled "Commission on law enforcement standards act," by amending sections 2 and 9 (MCL 28.602 and 28.609), section 2 as amended by 2004 PA 379 and section 9 as amended by 2005 PA 239.

The bill was read a first time by its title and referred to the Committee on Judiciary.

Rep. Smith introduced

**House Bill No. 5041, entitled**

A bill to amend 1986 PA 102, entitled "An act to establish a grant program for certain part-time, independent students in this state; and to prescribe the powers and duties of certain state agencies and institutions of higher education," by amending sections 3, 5, and 7 (MCL 390.1283, 390.1285, and 390.1287), section 3 as amended by 2004 PA 180; and to repeal acts and parts of acts.

The bill was read a first time by its title and referred to the Committee on Appropriations.

Rep. Smith introduced

**House Bill No. 5042, entitled**

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 214.

The bill was read a first time by its title and referred to the Committee on Energy and Technology.

Reps. Liss, Rick Jones, Bettie Scott and Constan introduced

**House Bill No. 5043, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16245 and 16631 (MCL 333.16245 and 333.16631), section 16245 as amended by 2006 PA 26 and section 16631 as added by 2008 PA 503.

The bill was read a first time by its title and referred to the Committee on Health Policy.

Reps. Amash, Genetski, Agema, Lund, McMillin, Knollenberg and Daley introduced

**House Bill No. 5044, entitled**

A bill to amend 1947 PA 336, entitled "An act to prohibit strikes by certain public employees; to provide review from disciplinary action with respect thereto; to provide for the mediation of grievances and the holding of elections; to declare and protect the rights and privileges of public employees; and to prescribe means of enforcement and penalties for the violation of the provisions of this act," by amending section 10 (MCL 423.210).

The bill was read a first time by its title and referred to the Committee on Labor.

Reps. Horn, Moore, Stamas, Crawford, Sheltroun, Mayes, Hildenbrand, Elsenheimer, Rick Jones, Walsh, Knollenberg, Kowall, Moss, Denby, Pearce, Tyler, Lund, Green, Wayne Schmidt, Hansen, Haveman, Pavlov, Lori, Calley, Kurtz, DeShazor, Bennett, Lindberg, Haines, Meltzer, McMillin, Bolger, Terry Brown, Daley, Rocca, Caul, Ball, Rogers, Booher, Agema, Meekhof, Genetski, Proos, Paul Scott, Schuitemaker, Dean, Lahti, LeBlanc, Byrum, Clemente, Griffin, Segal, Neumann, Polidori, Opsommer, Hammel and Leland introduced

**House Bill No. 5045, entitled**

A bill to protect a person's right to communicate regarding state government functioning; to prohibit retaliation for certain communications; and to provide remedies.

The bill was read a first time by its title and referred to the Committee on Great Lakes and Environment.

Reps. Dean, Roy Schmidt, Lemmons, Spade, Lipton, Bauer, Cushingberry, Durhal, Bettie Scott, Haase, Gregory, Hammel, Polidori, Melton and Scripps introduced

**House Bill No. 5046, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 3406s.

The bill was read a first time by its title and referred to the Committee on Insurance.

Reps. Dean, Lemmons, Roy Schmidt, Spade, Lipton, Bauer, Cushingberry, Durhal, Bettie Scott, Haase, Gregory, Hammel, Polidori, Melton and Scripps introduced

**House Bill No. 5047, entitled**

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," (MCL 550.1101 to 550.1704) by adding section 416e.

The bill was read a first time by its title and referred to the Committee on Insurance.



Rep. Smith introduced

**House Bill No. 5048, entitled**

A bill to amend 2002 PA 591, entitled "Michigan nursing scholarship act," by amending sections 2, 3, 4, 5, 6, and 8 (MCL 390.1182, 390.1183, 390.1184, 390.1185, 390.1186, and 390.1188), section 2 as amended by 2006 PA 444; and to repeal acts and parts of acts.

The bill was read a first time by its title and referred to the Committee on Appropriations.

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Rep. Lori moved that the House adjourn.

The motion prevailed, the time being 1:00 p.m.

Associate Speaker Pro Tempore Espinoza declared the House adjourned until Tuesday, June 9, at 1:30 p.m.

RICHARD J. BROWN  
Clerk of the House of Representatives

